

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF OREGON

NICHOLAS JAMES MCGUFFIN and S.M.,

Plaintiffs,

v.

MARK DANNELS; PAT DOWNING;
SUSAN HORMANN; MARY KRINGS;
KRIS KARCHER; SHELLY MCINNES;
RAYMOND MCNEELY; KIP OSWALD;
MICHAEL REAVES; JOHN RIDDLE;
SEAN SANBORN; ERIC SCHWENNIGER;
RICHARD WALTER; CHRIS WEBLEY;
ANTHONY WETMORE; KATHY WILCOX;
CRAIG ZANNI; DAVID ZALAVA; ESTATE
OF DAVE HALL; VIDOCQ SOCIETY;
CITY OF COQUILLE; CITY OF COOS
BAY; COOS COUNTY; and OREGON
STATE POLICE,

Defendants.

Case No. 6:20-cv-01163-MK

ORDER

MCSHANE, Judge:

Magistrate Judge Mustafa T. Kasubhai filed a Findings and Recommendation (ECF No. 83), and the matter is now before this court on Plaintiffs and Defendants objections. *See* 28

U.S.C. § 636(b)(1)(B), Fed. R. Civ. P. 72. I review *de novo*. *United States v. Bernhardt*, 840 F.2d 1441, 1445 (9th Cir. 1998). I find no error and conclude the report is correct.

Magistrate Judge Kasubhai's Findings and Recommendation (ECF No. 83) is adopted in full. City and County Defendants' (Defendants Dannels, Downing, Karcher, McInnes, Mcneely, Oswald, reeves, Sanborn, Schwenninger, Webley, Wetmore, Zanni, Zavala, City of Coquille, City of Coos Bay, and Coos County) Motion to Dismiss, ECF No. 49, is GRANTED in part and DENIED in part, consistent with Judge Kasubhai's Findings and Recommendation. State Defendants' (Defendants Riddle, Hormann, Krings, Wilcox, and Oregon State Police) Motion to Dismiss, ECF No. 57, is GRANTED in part and DENIED in part, consistent with Judge Kasubhai's Findings and Recommendation. Vidocq Defendants' (Defendants Walter and Vidocq Society) Motion to Dismiss, ECF No. 55, is GRANTED in part and DENIED in part, consistent with Judge Kasubhai's Findings and Recommendation.

Plaintiffs' Motion to Strike, ECF No. 62, is DENIED as moot. Plaintiffs' Motion to Substitute a Party, ECF No. 72, is GRANTED. The Estate of David E. Hall's Motion to Dismiss, ECF No. 77, is DENIED as moot.

Plaintiffs are granted leave to file an amended complaint within thirty days.

IT IS SO ORDERED.

DATED this 28th day of September, 2021.

/s/ Michael J. McShane
Michael McShane
United States District Judge